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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,402	10/31/2000	Masahiro Matsuo	3064NG/49341	6990

7590 04/06/2004  
Crowell & Moring LLP  
Intellectual Property Group  
P.O. Box 14300  
Washington, DC 20044-4300

EXAMINER

MOORTHY, ARAVIND K

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 04/06/2004

60

Please find below and/or attached an Office communication concerning this application or proceeding.

SC

## Office Action Summary

Application No.

09/699,402

Applicant(s)

MATSUO, MASAHIRO

Examiner

Aravind K Moorthy

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2002.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-20 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 31 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1-20 are pending in the application.
2. Claims 1-20 have been rejected.

***Specification***

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Network Apparatus for Accessing Services over the Internet.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

**4. Claims 1-6 and 8-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Tsuda U.S. Patent No. 5,999,968.**

As to claim 1, Tsuda discloses a main device linked to a network represented by the Internet [column 3, lines 59-67]. Tsuda discloses a portable remote controller device for remotely controlling the main device by means of communication [column 4, lines 7-12]. Tsuda discloses that the remote controller device includes access destination specifying means for specifying an access destination to the main device [column 4, lines 25-37]. Tsuda discloses display means for displaying information sent from the main device. Tsuda discloses that the main device includes access means for accessing the access destination specified by the remote controller device and obtaining information therefrom [column 4, lines 38-50]. Tsuda discloses information sending means for sending the information obtained by the access means to the remote controller device [column 4, lines 25-37].

As to claim 2, Tsuda discloses that the remote controller device further includes identification code storage means for storing an identification code identifying itself. Tsuda discloses that the access destination specifying means serving as means for sending the identification code [column 5, lines 1-9]. Tsuda suggests that the main device further includes access destination storage means for storing the identification code of the remote controller device and the access destination in a one-to-one correspondence [column 9, lines 18-25]. Tsuda discloses that the access means serving as means for accessing the access destination corresponding to the identification code of the remote controller device received [column 9, lines 26-31].

As to claim 3, Tsuda discloses that the access destination storage means serves as means for storing a mail address as the access destination [column 11, lines 32-35].

As to claims 4, 8 and 9, Tsuda discloses that the display means of the remote controller device includes title displaying means for displaying a title of the information sent from the main device [column 11, lines 36-48].

As to claims 5, 10 and 11, Tsuda discloses that the display means of the remote controller device serves as means for, when the title displayed on the title display means is specified, displaying the information corresponding to the title specified [column 11, lines 50-56].

As to claims 6, 12-15, Tsuda discloses that the information sending means of the main device sends the information to the remote controller device at an information sending destination after appending the identification code of the remote controller device to the information [column 5, lines 17-38]. Tsuda discloses that the remote controller device further includes display disabling means for, when the information sent from the main device to the display means is not appended with its own identification code, disabling display of the information [column 7, lines 11-16].

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**5. Claims 7 and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuda U.S. Patent No. 5,999,968 as applied to claim 1 above, and further in view of Nykanen U.S. Patent No. 6,661,784 B1.**

As to claims 7 and 16-20, Tsuda does not teach that the main device and the remote controller device communicate with each other by means of infrared rays.

Nykanen teaches a client and server machine communicating through the means of infrared rays [column 7, lines 36-54].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Tsuda so that local machine and shared machine communicated through infrared rays.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Tsuda by the teaching of Nykanen because of reduced data transmission costs, if the use of services in the piconet is free or the use of services has a very inexpensive charge. Furthermore, the power consumption of the communication devices can be lower in the piconet, because the piconet is typically a communication network with a small transmission output power and consequently a short range [column 4, lines 56-62].

Art Unit: 2131

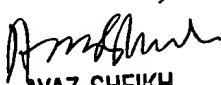
*Conclusion*

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K Moorthy whose telephone number is 703-305-1373. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aravind K Moorthy  
March 31, 2004

  
AYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100